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9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 RONALD MOORE,  
12 Plaintiff,  
13 vs.

14 GENUINE AUTOMOTIVE INC., DONALD  
15 A. PECK, TRUSTEE of PECK 1993 TRUST,  
16 ELIZABETH CERRITO, TRUSTEE OF THE  
17 ELIZABETH CERRITO TRUST, JACK  
CINOTTO SR., LENORE HILSON and  
WINSTON TIRES,

18 Defendants.  
19  
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) No. 5-10-CV-02236 PSG

) **STIPULATION AND ORDER TO FILE**  
) **FIRST AMENDED COMPLAINT**

21 IT IS HEREBY STIPULATED by and between the parties hereto through their  
22 respective attorneys of record that Plaintiff may file a First Amended Complaint, a copy of  
23 which is attached hereto.

24 IT IS FURTHER STIPULATED that the defendant Genuine Automotive, Inc. waives  
25 notice and service of the First Amended Complaint. Donald A. Peck, Trustee of Peck 1993  
26 Trust, agrees to accept service of the First Amended Complaint via electronic email via its  
27 attorney, Kate Wilson, and will have twenty-one (21) days from such service to answer the

28 *Moore v. Genuine Automotive, Inc., et al.*

Stipulation and Order to File First Amended Complaint

1 First Amended Complaint. Defendant Genuine Automotive, Inc. shall not be required to  
2 answer the amendment, and all denials, responses and affirmative defenses contained in the  
3 answer filed by defendant Genuine Automotive, Inc. to the original complaint shall be deemed  
4 responsive to the amended complaint.

5 IT IS SO STIPULATED.

6 Dated: January 12, 2011

BERLINER COHEN

7 By: /s/ Kate Wilson

8 Kate Wilson, Esq.

9 Attorneys for Defendant Donald A. Peck,

Trustee of Peck 1993 Trust

10 Dated: November 22, 2010

11 By: /s/ Philip Roggeveen

12 Philip Roggeveen

Attorney for Defendant Genuine Automotive, Inc.

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14 Dated: October 22, 2010

MOORE LAW FIRM, PC

15 By: /s/ Tanya E. Moore

16 Tanya E. Moore

17 Attorney for Plaintiff Ronald Moore

18 **ORDER**

19  
20 THE PARTIES HAVING SO STIPULATED, IT IS HEREBY ORDERED THAT the  
21 First Amended Complaint be filed forthwith.

22  
23 **IT IS SO ORDERED.**

24 Dated: January 19, 2011

Paul S. Grewal

25 U.S. MAGISTRATE JUDGE PAUL S. GREWAL

26  
27  
28 *Moore v. Genuine Automotive, Inc., et al.*

Stipulation and Order to File First Amended Complaint